

REMARKS

Applicant respectfully requests reconsideration of this application. Claims 1-4, 6-10, 12-16, and 18-24 are pending. No claims have been canceled or added. Claims 1, 7, and 13 have been amended.

Applicant reserves all rights with respect to the applicability of the Doctrine of Equivalents.

The Examiner rejected claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over Nielsen (U.S. 6,453,327) in view of Rounthwaite et al. (U.S. Publication 2004/0177110) and McCormick (U.S. 6,421,709). Applicant respectfully traverses the rejection.

Claim 1 as amended sets forth:

a community of users generating a plurality of reports, said generating comprising, for each of the plurality of reports,
generating at least one signature based on a content of an email message,
adding the at least one signature to a respective report; and
identifying the email message as spam or not spam in the respective report;

(Claim 1 as amended; emphasis added)

In contrast, none of Nielsen, Rounthwaite, and McCormick teaches the limitation set forth above. The Office Action states that Nielsen in view of Rounthwaite does not disclose at least one signature based on a content of the email. Furthermore, McCormick also fails to disclose the above limitation.

According to McCormick, SpamCheck() receives a structure containing pointers to the headers and body of the message to be checked, and then checks whether the

message is junk by generating a signature for the message and attempts to find the signature in a Spam Filter database (McCormick, col. 11, ln. 1-20). Note that the signature is generated by SpamCheck() upon receiving an unknown incoming message. The signature is *not in a report generated by a user* of a community to indicate whether or not the message is a spam. McCormick further discloses that:

End users will have a mechanism for forwarding a piece of junk e-mail to the Collaborative Filter. This mechanism will *forward the junk e-mail message to a defined mailbox for handling junk e-mail* (e.g. spam@isp.net). The *Submittal Library* is then used to process these incoming junk e-mail submissions.

(McCormick, col. 11, ln. 62-67)

In other words, the users reporting spam to the system in McCormick merely send the junk e-mail message to the defined mailbox. (See also McCormick, col. 9, ln. 29-33) McCormick does not teach the user to generate a signature based on the content of a message to put into a report and to indicate whether the message is spam or not in the report. Therefore, McCormick fails to make up the deficiencies of Nielsen and Rounthwaite.

Because none of McCormick, Nielsen, nor Rounthwaite, alone or in combination, teaches the limitation of claim 1 set forth above, claim 1 is patentable over Nielsen in view of Rounthwaite and McCormick. Accordingly, applicant respectfully submits that the rejection under 35 U.S.C. § 103(a) has been overcome by the amendments and the remarks.

For the reason discussed above with respect to claim 1, claims 7 and 13 are also patentable over Nielsen in view of Rounthwaite and McCormick. Claims 2-4, 6, 8-10, 12, 14-16, and 18 depend, directly or indirectly, from claims 1, 7, and 13, respectively.

Thus, claims 2-4, 6, 8-10, 12, 14-16, and 18-24 are also patentable over Nielsen in view of Rounthwaite and McCormick.

CONCLUSION


Applicant respectfully submits that the rejections have been overcome by the remarks and the amendments.

Pursuant to 37 C.F.R. §1.136(a)(3), applicant hereby requests and authorizes the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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